

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-499**
TEXAS INSTRUMENTS, INC. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-500**
SHAZAM ENTERTAINMENT LTD. §
§
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-502**
IPHARRO MEDIA, INC., et al. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-526**
VIGGLE, INC. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-527**
FREE STREAM MEDIA CORP. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-528**
THE ECHO NEST CORP. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-529**
PEER MEDIA TECHNOLOGIES, INC. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-533**
TUNESAT, LLC §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-534**
VERCURY, INC. §
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BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-537**
SOUNDHOUND, INC. §
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BLUE SPIKE, LLC

v.

VOBILE, INC.

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CASE NO. 6:12-cv-539

BLUE SPIKE, LLC

v.

ATTRIBUTOR CORP.

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CASE NO. 6:12-cv-540

BLUE SPIKE, LLC

v.

CIVOLUTION USA, INC., et al.

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CASE NO. 6:12-cv-557

BLUE SPIKE, LLC

v.

GOOGLE INC.

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CASE NO. 6:12-cv-558

BLUE SPIKE, LLC

v.

ADOBE SYSTEMS, INC.

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CASE NO. 6:12-cv-564

BLUE SPIKE, LLC

v.

UMAMI CO.

CASE NO. 6:12-cv-565

BLUE SPIKE, LLC

v.

IRDETO USA INC., et al.

CASE NO. 6:12-cv-567

BLUE SPIKE, LLC

v.

ZEITERA, LLC, et al.

CASE NO. 6:12-cv-568

BLUE SPIKE, LLC

v.

WIOFFER, LLC

CASE NO. 6:12-cv-570

BLUE SPIKE, LLC

v.

TECHNICOLOR USA, INC., et al.

CASE NO. 6:12-cv-572

BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:12-cv-576**
AUDIBLE MAGIC CORP., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-577**
ROVI CORP., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-580**
YOUWEB, LLC, et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-581**
SMRTV, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-582**
ACTV8, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-586**
BROADCAST MUSIC, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-587**
THE NIELSEN COMPANY (US) LLC §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-594**
CBS INTERACTIVE, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-595**
**CLEAR CHANNEL BROADCASTING,
INC.** §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-598**
SOUNDMOUSE LTD. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-607**
SECUGEN CORPORATION §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-608**
ZKTECO, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-610**
FULCRUM BIOMETRICS, LLC, et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-616**
FUJITSU AMERICA, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-645**
GREEN BIT, INC., et al/ §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-646**
TVTAK USA, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-647**
INNOVATRICS S.R.O., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-648**
BIOLINK SOLUTIONS LTD., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-680**
L-1 IDENTITY SOLUTIONS, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-681**
LUMIDIGM, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-682**
BMAT LICENSING, S.L. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-684**
TV INTERACTIVE SYSTEMS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-685**
3M COGENT, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-686**
ANTHEUS TECHNOLOGY, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-687**
AWARE, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-688**
IMAGEWARE SYSTEMS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-694**
PRECISE BIOMETRICS, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:12-cv-759**
DIGITALPERSONA CORP. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-37**
ACCU-TIME SYSETMS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-38**
ANIMETRICS, INC. §
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BLUE SPIKE, LLC

v.

ANVIZ GLOBAL, INC.

CASE NO. 6:13-cv-39

BLUE SPIKE, LLC

v.

AOPTIX TECHNOLOGIES, INC.

CASE NO. 6:13-cv-40

BLUE SPIKE, LLC

v.

ASURE SOFTWARE, INC.

CASE NO. 6:13-cv-44

BLUE SPIKE, LLC

v.

BIOMETRIKA, S.R.L., et al.

CASE NO. 6:13-cv-45

BLUE SPIKE, LLC

v.

DAON, INC.

CASE NO. 6:13-cv-47

BLUE SPIKE, LLC

v.

**DERMALOG IDENTIFICATION
SYSTEMS, GMBH, et al.**

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CASE NO. 6:13-cv-53

BLUE SPIKE, LLC

v.

**FUTRONIC TECHNOLOGY CO., LTD.,
et al.**

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CASE NO. 6:13-cv-54

BLUE SPIKE, LLC

v.

IRITECH, INC.

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CASE NO. 6:13-cv-55

BLUE SPIKE, LLC

v.

NITGEN & COMPANY CO., LTD

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CASE NO. 6:13-cv-56

BLUE SPIKE, LLC

v.

SUPREMA, INC., et al.

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CASE NO. 6:13-cv-57

BLUE SPIKE, LLC

v.

SONDA TECHNOLOGIES, LTD.

CASE NO. 6:13-cv-58

BLUE SPIKE, LLC

v.

SPEECHPRO, INC., et al.

CASE NO. 6:13-cv-59

BLUE SPIKE, LLC

v.

CBS INTERACTIVE, INC.

CASE NO. 6:13-cv-60

BLUE SPIKE, LLC

v.

M2SYS, LLC

CASE NO. 6:13-cv-83

BLUE SPIKE, LLC

v.

TYGART TECHNOLOGY, INC.

CASE NO. 6:13-cv-84

BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:13-cv-86**
KRONOS INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-87**
HITACHI AMERICA, LTD. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-88**
IRIS ID SYSTEMS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-89**
MORPHOTRAK, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-106**
AZZONSOFT US, INC., et al. §
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BLUE SPIKE, LLC

v.

INGERSOLL-RAND CO.

CASE NO. 6:13-cv-108

BLUE SPIKE, LLC

v.

AMANO CINCINNATI, INC.

CASE NO. 6:13-cv-109

BLUE SPIKE, LLC

v.

**SMART MEDIA INNOVATIONS, LLC,
et al.**

CASE NO. 6:13-cv-110

BLUE SPIKE, LLC

v.

**AIRBORNE BIOMETRICS GROUP,
INC.**

CASE NO. 6:13-cv-112

BLUE SPIKE, LLC

v.

COGNITEC SYSTEMS CORP., et al.

CASE NO. 6:13-cv-124

BLUE SPIKE, LLC §
§
v. § **CASE NO. 6:13-cv-125**
ENTROPIC COMMUNICATIONS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-126**
VISIBLE WORLD, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-127**
INFINISOURCE, INC., et al. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-128**
ANSWERS, INC. §
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BLUE SPIKE, LLC §
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v. § **CASE NO. 6:13-cv-129**
AGNITIO CORP. §
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BLUE SPIKE, LLC

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v.

§

ZVETCO, LLC

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CASE NO. 6:13-cv-130

**ORDER CONSOLIDATING AND REQUIRING PLAINTIFF TO NOTIFY THE COURT
WHEN CASE IS READY FOR SCHEDULING**

Plaintiff recently filed a notice indicating that the above listed cases are related and that the Plaintiff does not anticipate filing any additional related cases. Plaintiff also requests that this series of related cases proceed under a uniform schedule.

Accordingly, the above listed cases are hereby consolidated into cause number 6:12-cv-499, *Blue Spike, LLC v. Texas Instruments, Inc.*, for all pretrial purposes, including discovery and claim construction. The Court defers any decisions regarding consolidation for trial.

In view of this consolidation, the Clerk of the Court shall add the consolidated defendants to the lead case, as well as lead counsel only. Any other counsel who wishes to appear in the lead case shall file a notice of appearance in that case. Further, the Clerk shall close all cases listed above other than the lead case.

**Any motions (including motions challenging venue¹ or jurisdiction) filed prior to
consolidation in all cases must be refiled in the consolidated case (6:12-cv-499) to be**

¹ This pretrial consolidation—done for case management purposes—does not impact individual parties’ rights to challenge venue as their rights existed prior to this consolidation. See *In re EMC Corp.*, 677 F.3d 1351, 1360 (Fed. Cir. 2012).

considered by the Court.²

The Court further **ORDERS** Plaintiff to file a notice of readiness for scheduling conference when all Defendants in **the consolidated case** have either answered or filed a motion to transfer or dismiss.³ The notice must be filed within five days of the last remaining Defendant's answer or motion. The notice must include a list of any pending motions to dismiss or transfer and a list of any other related cases filed in the Eastern District of Texas involving the same patent(s).

If the consolidated case is not ready for scheduling conference within 90 days of this order, Plaintiff must file a detailed status report explaining the reason for the delay.

Furthermore, attorney Stephen E. Edwards has moved to withdraw from several of the case listed above.⁴ The Court GRANTS the motions in all cases in which it is pending.

It is SO ORDERED.

SIGNED this 25th day of March, 2013.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE

² The deadline for responsive briefing to any motions reurged in the lead case should be calculated based on the date the motion was originally filed.

³ Plaintiff should not delay filing the notice because of later-filed, related cases.

⁴ Motions to withdraw are pending in the following cases: *Blue Spike, LLC v. CBS Interactive, Inc.*, 6:13-cv-60, Doc. No. 11; *Blue Spike, LLC v. M2SYS, LLC*, 6:13-cv-83, Doc. No. 11; *Blue Spike, LLC v. Tygart Technology, Inc.*, 6:13-cv-84, Doc. No. 12; *Blue Spike, LLC v. Kronos Inc.*, 6:13-cv-86, Doc. No. 11; *Blue Spike, LLC v. Hitachi America, Ltd.*, 6:13-cv-87, Doc. No. 13; *Blue Spike, LLC v. Iris ID Systems, Inc.*, 6:13-cv-88, Doc. No. 13; *Blue Spike, LLC v. MorphoTrak, Inc.*, 6:13-cv-89, Doc. No. 14; *Blue Spike, LLC v. AxxonSoft US, Inc.*, 6:13-cv-106, Doc. No. 12; *Blue Spike, LLC v. Ingersoll-Rand Co.*, 6:13-cv-108, Doc. No. 14; *Blue Spike, LLC v. Amano Cincinnati, Inc.*, 6:13-cv-109, Doc. No. 11; *Blue Spike, LLC v. Smart Media Innovations, LLC*, 6:13-cv-110, Doc. No. 13; *Blue Spike, LLC v. Airborne Biometrics Group, Inc.*, 6:13-cv-112, Doc. No. 11; *Blue Spike, LLC v. Cognetic Systems Corp.*, 6:13-cv-124, Doc. No. 12; *Blue Spike, LLC v. Entropic Communications, Inc.*, 6:13-cv-125, Doc. No. 7; *Blue Spike, LLC v. Visible World, Inc.*, 6:13-cv-126, Doc. No. 10; *Blue Spike, LLC v. Infinisource, Inc.*, 6:13-cv-127, Doc. No. 10; *Blue Spike, LLC v. Answers, Inc.*, 6:13-cv-128, Doc. No. 10; *Blue Spike, LLC v. Agnitio Corp.*, 6:13-cv-129, Doc. No. 10; *Blue Spike, LLC v. Zvetco, LLC*, 6:13-cv-130, Doc. No. 10.